

# Morning

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# Astorian.

COVERS THE MORNING FIELD ON THE LOWER COLUMBIA

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ASTORIA, OREGON. FRIDAY, JUNE 23, 1905.

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## SOON MUST GO

### Astor Street Brothels to Become Things of Past

### ENTER PLEA OF GUILTY

### Attorneys for Defense Startled by Array of Witnesses to Testify Against Bawdy Houses.

### COURT GIVES AN OPINION

Maintains that License is no Excuse for Existence of Insult to Public Morals. Dive Keepers Must Not Abuse Privileges. May Result in End of Halls

♦ ♦ ♦ ♦ ♦  
COURT'S OPINION.  
♦ ♦ ♦ ♦ ♦  
"I believe," said Judge Mc-  
Bride yesterday during the trial  
of the Astor street brothel keep-  
ers, "that I am familiar with the  
law on this subject. A hurdy-  
gurdy house is a place where there  
usually a bar room. The legisla-  
ture of Oregon provides a license  
of \$100 per month for conducting  
such a house, and a man who is  
licensed to conduct a place of  
that character has just as much  
right as a man who conducts a  
Sabbath school. But if he runs  
a place that is disorderly, or a  
nuisance or grossly disturbs  
public peace or health or openly  
outrages public decency or is in-  
jurious to public morals, his  
license would not protect him in  
conducting such a place."

Such is the legal opinion of Judge McBride on the question of "common decency vs moral depravity," expressed yesterday in the Circuit Court and in the presence of Charles F. Wise and John Stephenson, on trial for keeping public nuisances more popularly termed "bawdy houses"; of a large crowd and of an jury composed of ten stern men, who were selected from a venire of eighteen. The opinion of the Court, so clearly expressed would indicate that the Wise-Stephenson duo, with others of like ilk will soon move to a community where the virtues of "wine, women and song" are more appreciated, than in this city.

An army of witnesses was present to testify against the defendants, so large and formidable that the attorneys for Wise and Stephenson were completely dumfounded with the result that a plea of "guilty" to the charges of the indictments; was substituted for the plea of "not guilty."

If the jury should decide that these men are not conducting nuisances or disorderly houses, they will be permitted to run by paying a county license of \$100 the month. On the other hand, if it should develop from the evidence taken that the dive keepers are maintaining bawdy houses, outrages to public decency and to morals, the dance halls will have to close for good. McBride's words, if appearances may be accepted as a criterion, made a great impression, not only upon the spectators, but upon the jury.

Following the opening of the trial, Special Officer William Chance returned a venire of 18 jurors. The entire forenoon was occupied in examining their men as to their qualifications to serve and at the noon hour, only eight jurors had been secured. D. Shanahan was the first examined. He was excused for the cause that he was prejudiced. K. Osburn stood the test and was accepted. Wm. Ross was prejudiced against the brothel element and was excused. M. F. Berendes, a clerk in A.

V. Allen's, was accepted. The defense excused Wm. Dench as he was opposed to dance halls on general principles. James Winters, a logger, was accepted, as was R. Basil, a contractor. William Lee was excused as his prejudice against the business might influence him in arriving at a verdict. R. P. Campbell, superintendent of the Astoria Box company, was accepted. James Finlayson was objected to by the defendant, as he possessed decided opinions against the dive business. Robert Carruthers and L. Mansur were excused for the same reason. John Munsen was accepted as was W. A. Goodin, a contractor, and P. C. Bell.

Attorney George Noland, City Attorney Smith and F. J. Taylor, who have assumed the defense of Wise and Stephenson, consulted frequently during the examination of the jurors.

The venire being exhausted, Mr. Chance was instructed to summon six more jurors and court took a recess until 1:30 o'clock. At the afternoon session Benjamin Young was accepted although he was slightly prejudiced. A. G. Spexarth was excused by the defense because he had a decided opinion about the business, and P. Lawler and B. L. Ward were excused for reasons materially the same. C. L. Houston was then accepted. The attorneys agreed to try the case with ten jurors.

District Attorney Harrison Allen opened the case for the State. He briefly stated that the State proposed to prove the facts alleged in the indictment; that Charles Wise had kept a dance hall in this city, county and state and was frequented by women and had the reputation of being a bawdy house and that the women invited men to dance, drink at the bar and go up stairs for immoral purposes. He contended that it makes

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### WILL BUILD NEW STEAMER.

Victoria, B. C., June 21.—The Canadian Pacific Railway Company has given a contract to a local company for the construction of a new passenger steamer to cost in the neighborhood of \$100,000. The new steamer will be used in Northern British Columbia and Alaska trade.

## GOOD ROADS MEETING SCENE OF GREAT TUMULT

June 22.—The National Good Roads convention assembled little the dull sessions that ordinarily characterize the assemblages previously gathered in this city. The morning passed according to the program, but in the afternoon, when President Moore stated that there would be no election of officers, a storm broke over the assemblage such as has never before been witnessed in any gathering in this city.

Excited men jumped to their feet, shouting for recognition and were quieted only by the recognition of Secretary R. W. Richardson, who arose to protest. A tumult broke loose later on an appeal from the president's ruling in the matter of the election to be laid on the table. The president announced a vote in the affirmative and it was so ordered.

Col. Richardson in protest demanded to know the meaning of such ruling. He was told that the executive committee at St. Louis had decided that the present session was not a "National" affair, and that the election will be held later in the year. The secretary vehemently denied the authority of the executive committee to make such a ruling and stated furthermore that this is a "National" convention and it has been so specified in the contract with the Lewis and Clark Fair management and the Fair's subscription of \$2500 was based on that understanding. Col. Richardson demanded that the ruling be submitted to the delegates for endorsement or rejection.

When the assemblage was asked whether the president's ruling in the matter be laid on the table it was received with a storm of "noes" and a few "ayes." Nevertheless, President Moore ruled the motion carried.

## FRIEND IS FOE

### Tanner Appears Against Senator Mitchell.

### IS VISIBLY AGITATED

### Gives Testimony Detrimental to the Man Who Was His Benefactor.

### HE DESCRIBES THE DEALINGS

Court Room Hushed. Spectators Follow Proceedings with Bated Breath. Aged Senator Crestfallen on His Seventieth Birthday Anniversary.

(Special to the Astorian.)

Portland, June 22.—The examination of Judge A. H. Tanner was continued this morning by the prosecution in the trial of Senator J. H. Mitchell. The aged senator, on the day that marked the seventieth milestone of his journey through life, his face blanched until the blue veins stood out, big and black, across his temple, with beads of perspiration glistening on his forehead, with hands clasp and unclasp along side of the table at which he sat, listened to the testimony given, with every evidence of the shame and humiliation of Judge Tanner, his lifelong friend and law partner.

Judge Tanner was not one whit less white, or less agitated, and during the examination, his words came hesitatingly, and falteringly, and so low that the rhythmic click of the court room clock was audible throughout the hour or more which the confession consumed. He was pale and wan of feature. His former partner and benefactor, the man who, in 1885, when Tanner was an ambitious lawyer, in poor circumstances, lately married and with a battle for

sustenance in a merciless world before him; took the now accuser into his office as a partner giving him the fundamental help which later gained him the prominence and respect he enjoyed previous to his confession, followed his every word and watched the proceedings with bated breath. Among the spectators there was a tense hushed attention for the sermon in the court room was stronger than any that may be preached in a place of worship.

The morning session was devoid of interest the prosecution continuing in a chronological introduction of the documentary evidence, but when the afternoon was half passed, Heney began to question Judge Tanner as to his trip to meet Mitchell in December last, when the senator was returning to Portland a short time prior to his first indictment.

Tanner told of going to Kalama to meet Mitchell. The senator, he said, was very eager for land fraud news and asked if there was any danger of the government agents having had access to the books of the firm. Mitchell expressed, said the witness, a deep concern about the entries and the transactions the firm had had with Kribs and that he wanted to see the books. On the following day, Tanner testified, Senator Mitchell went to his office and in company with him (Tanner) looked over the books.

According to the testimony of Judge Tanner, Mitchell expressed surprise at the way the entries had been made and demanded that the books be destroyed, saying the entries in regard to the Kribs transactions would not only indict but convict him if they fell into the hands of the government. Tanner testified that he told the senator that though it might necessitate perjury he would stand by Mitchell and do what he could to help him. He agreed to destroy the books if necessary, and had called the senators' attention to a clause in the partnership agreements by which Senator Mitchell would receive all fees for the work done before the departments.

## BOY MAY HAVE CAUSED WRECK

### Believed to Have Tampered With Switch.

Matter to Be Investigated Today. List of Fatalities in "20th Century Limited" Disaster Numbers Nineteen, All Prominent in East.

Cleveland, June 22.—It is probable that in an investigation tomorrow it will develop that a boy 14 years old meddled with the switch at Mentor station, last night and caused the wreck of the "20th Century Limited."

William Usher, ticket agent for the Nickel Plate, and James Barnes, of Willoughby, were on the scene of the wreck 20 minutes after it happened. On the way they met a boy carrying a lantern. They questioned him and he said he had been down to shut the switch. The men went to the scene of the wreck and found the switch open, but locked.

Many are of the opinion that the boy thought there was a freight ahead of the "20th Century Limited," and opened the switch to let it through and onto the siding.

H. S. Storrie, general superintendent of the Lake Shore, said the matter will be investigated tomorrow, although he is inclined to doubt the story that the boy turned the switch.

The list of fatalities in the wreck which is the largest in the history of this road, numbers 19 persons. All of the victims are prominent in business and professional world in New York, Chicago, Cleveland and other cities.

### Defeat Naval Budget.

Rome, June 22.—The Chamber of Deputies, voting secretly, have rejected the proposed increase in the naval budget by a vote of 190 against 48.

## NOW A NATION

### Formal Announcement of Creation of Norway.

### RECEIVED AT CAPITAL

### Advices Dispatched Through American Consul General at Christiania.

### LETTER FROM KING OSCAR

Washington Will Probably Await Initiative of European Powers Directly Interested Before Recognizing New Country.

(Special to the Astorian.)

Washington, (via Portland), June 22.—The formal announcement of the creation of the nation of Norway reached the State Department today in the report of the American consul general at Christiania, Norway, transmitting a note from the Norwegian minister of foreign Affairs, in which the minister says: "I have the honor to request you directly, or through the ministry with which you were corresponding, to acquaint the government of your country with the contents of the enclosed documents of which a translation is submitted." The documents include a letter from King Oscar and the resolution of dissolution and other resolutions setting forth the details of the separation of the two countries.

No action has as yet been taken by this government toward recognizing the new nation and it is understood that Washington will await the initiative of the European powers directly interested.

### APPOINTMENT REQUIRES SPECIAL ACT OF CONGRESS

Lieutenant Unjustly Dismissed From Army Ordered Reinstated.

Washington, June 22.—President Roosevelt has ordered that First Lieutenant Hamilton Foley, unjustly convicted by court martial in the Philippines, and dismissed from the army be reappointed to his grade. The law however, prohibits the appointment of a civilian as commissioned officer in the army unless he is under 27 years of age. Foley is over the age limit and the only way in which to restore him will be through a special act of Congress.

### WIFE MAY HAVE SHOT HUSBAND IN SCUFFLE

New York Man in Hospital..Bullet in Back of Head.

New York, June 22.—Edward W. Crane, of East New York is dying at a Brooklyn hospital from a bullet wound in the back of his head. His young wife was taken charge of by the police. Crane is 27 years old and has lived for some time in the modest cottage where he was shot. He refused to make any statement when told that his end was near.

A policeman heard the shot and rushed up to the door just as a revolver dropped from the bedroom window above. It grazed his shoulder in falling. He picked it up and forced open the door and going to the second floor saw Crane lying full length on the floor, partly clad. He was unconscious. Beside him was his wife who was moaning and wringing her hands, calling upon her husband to speak to her. Crane revived when a physician had been called, but refused, as he did later at the hospital, to make any statement. Mrs. Crane was taken to the station

where the police say she declared that her husband came home late, started a quarrel and threatened to kill her. In a scuffle over a revolver which he held she said he was shot. How the bullet happened to strike Crane in the back of his head the young woman refused to tell.

### BURBANK EXPERIMENTS WITH RUBBER PLANT

Begins research for New Species at Request of Coloradans.

Santa Rosa, June 22.—The seeds from Colorado of the rubber plant, with which Luther Burbank has been asked to experiment, have arrived and have been set out. During the past week there were many callers at the Burbank residence from all over the county and some from abroad. Mr. Burbank's speech last night to the veterans was an admirable one. Among other things, the distinguished scientist said:

"Any one who cares to think may see through all the turbulence and strife of this and all other times that mankind is growing better, more humane and better able to govern itself. These qualities must grow on the soil of liberty—not that liberty to oppress and rob one's neighbor, but that true liberty which allows each one to labor and to rest, each one to express his honest convictions and his honest vote. Through this brand of liberty we may look for the evolution of a still better race."

## DEGREE GIVEN TO PRESIDENT

Made Doctor of Letters at Williams College.

Distinction Is Unusual. Chief Executive Leads Strenuous Life in "Bay" State. Makes Speeches at College and From Railway Coach.

Williamstown, Mass., June 22.—The zigzag journey of President Roosevelt among the colleges of Western Massachusetts ended today with the departure from Williamstown after he had received from Williams College the honorary degree of Lh. D. (doctor of letters), an unusual distinction.

His stay in this state was a busy one. The president attended three college commencements, at two of which he received high honorary degrees, traveled several hundred miles, and besides, delivering significant addresses at each of the commencement exercises made a number of speeches from the platform of the car.

During the trip there was not an unpleasant incident. Yesterday's rain was disagreeable, but today, though the skies were cloudy, no rain fell until after the train bearing President Roosevelt had started south.

The president's train is due to reach Washington early tomorrow. He may return to New England next week to attend the commencement at Harvard University.

### TELEGRAPHIC BRIEFS

#### Today's Weather.

Portland, June 22.—Western Oregon; Friday, cloudy with probable showers in the northern portion, slightly warmer except near the Coast.

Washington; partly cloudy, possibly with showers. Slightly warmer, except near the Coast and the Southeastern portion.

Eastern Oregon; cloudy, possibly with showers.

#### Millions For the Military.

London, June 22.—Indian Secretary Broderick in presenting the Indian budget in the House of Commons said it was his duty to ask the House to increase the charge for military services by about \$12,000,000.